

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

UMG RECORDINGS, INC.; CAPITAL RECORDS, LLC; WARNER BROS. RECORDS INC.; ATLANTIC RECORDING CORPORATION; ELEKTRA ENTERTAINMENT GROUP, INC.; FUELED BY RAMEN, LLC; NONESUCH RECORDS INC.; SONY MUSIC ENTERTAINMENT; SONY MUSIC ENTERTAINMENT US LATIN LLC; ARISTA RECORDS LLC; LAFACE RECORDS LLC; and ZOMBA RECORDING LLC,

Plaintiffs,

v.

TOFIG KURBANOV d/b/a FLVTO.BIZ and 2CONV.COM;
And DOES 1-10,

Defendants.

**Case No.
1:18-CV-00957-CMH-TCB**

**DEFENDANT'S MOTION FOR LEAVE TO FILE SUPPLEMENTAL MATERIALS
IN SUPPORT OF MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION**

Pursuant to the order of remand from the United State Court of Appeals for the Fourth Circuit, this Court is considering the question of whether an exercise of personal jurisdiction over Defendant Tofig Kurbanov, a Russian citizen, would be constitutionally reasonable. As part of that analysis, this Court considers the plaintiff's interest in obtaining convenient and effective relief. *Consulting Eng'rs Corp. v. Geometric Ltd.*, 561 F.3d 273, 277-79 (4th Cir. 2009). Pursuant to Local Rule 7(F), Mr. Kurbanov seeks leave to provide the Court with certain newly-discovered supplemental materials to bring to the Court's attention the existence (and

apparent success) of recent lawsuits brought in Russia by certain of the Plaintiffs herein (Universal Music, Warner, and Sony Music), alleging violations of Plaintiffs' copyrighted works. Specifically, the attached materials are as follows:

1. "Court Orders Google to Remove Pirate Music App or Face Blocking," *Torrentfreak*, December 26, 2000
2. "Apple Targeted By Record Labels For Distributing Music Piracy Apps," *Torrentfreak*, October 7, 2020
3. "Apple sued in Russia over music piracy apps by major labels," *iMore*, October 7, 2020
4. "Russian court for the first time demanded from Google Play to remove the pirated application," *craneip.com*
5. "VKontakte case puts Russian music piracy into spotlight," *BBC News*, August 11, 2014
6. "Nine Music Labels Plan To Sue Vkontakte, The Facebook Of Russia, Over 6,000 Illegal Tracks," *Techcrunch*, December 27, 2013

WEHEREFORE, Mr. Kurbanov requests respectfully leave to file the attached supplemental materials for this Court's consideration of the reasonableness prong of its due process analysis in connection with his Motion to Dismiss (Doc. 24).

Dated: January 29, 2021

Respectfully submitted,

TOFIG KURBANOV

By Counsel

/s/ Jeffrey H. Geiger
Jeffrey H. Geiger (VSB No. 40163)
SANDS ANDERSON PC
1111 E. Main Street, Suite 2400
Bank of America Plaza
P.O. Box 1998 (23218)
Richmond, Virginia 23218-1998
Telephone: (804) 783-7248
jgeiger@sandsanderson.com

/s/ Valentin Gurvits

Valentin D. Gurvits (*pro hac vice*)
BOSTON LAW GROUP, PC
825 Beacon Street, Suite 20
Newton Centre, Massachusetts 02459
Telephone: 617-928-1804
vgurvits@bostonlawgroup.com

/s/ Evan Fray-Witzer

Evan Fray-Witzer (*pro hac vice*)
CIAMPA FRAY-WITZER, LLP
20 Park Plaza, Suite 505
Boston, Massachusetts 02116
Telephone: 617-426-0000
Evan@CFWLegal.com

/s/ Matthew Shayefar

Matthew Shayefar (*Pro hac vice*)
LAW OFFICE OF MATTHEW SHAYEFAR, PC
925 N La Brea Ave
West Hollywood, California 90038
Telephone: 323-948-8101
matt@shayefar.com

Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of January, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing to the following:

Michael K. Lowman, Esquire
Jenner & Block LLP
1099 New York Ave, NW
Suite 900
Washington, DC 20001-4412
Email: mlowman@jenner.com
Counsel for Plaintiffs

Kenneth L. Doroshow, Esquire
Jenner & Block LLP
1099 New York Avenue, NW
Suite 900
Washington, DC 20001-4412
Email: kdoroshow@jenner.com
Counsel for Plaintiffs (admitted pro hac vice)

Alison I. Stein, Esquire
Jenner & Block LLP
1099 New York Avenue, NW
Suite 900
Washington, DC 20001-4412
Email: astein@jenner.com
Counsel for Plaintiffs (admitted pro hac vice)

Jonathan A. Langlinais, Esquire
Jenner & Block LLP
1099 New York Avenue, NW
Suite 900
Washington, DC 20001-4412
Email: jlanglinais@jenner.com
Counsel for Plaintiffs (admitted pro hac vice)

Matthew J. Oppenheim, Esquire
Oppenheim + Zebrak, LLP
4530 Wisconsin Avenue, NW, 5th Floor
Washington, DC 20016
Email: matt@oandzlaw.com
Counsel for Plaintiffs

/s/ Jeffrey H. Geiger
Jeffrey H. Geiger (VSB No. 40163)
SANDS ANDERSON PC
1111 E. Main Street, Suite 2400
Bank of America Plaza
P.O. Box 1998 (23218)
Richmond, Virginia 23218-1998
Telephone: (804) 783-7248
jgeiger@sandsanderson.com